

I91WespC

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

17 Cr. 398 (ER)

5 ROBERT ESPINEL,

Conference

6 Defendant.

7 -----x

8 New York, N.Y.
9 September 21, 2018
11:05 a.m.

10
11 Before:

12 HON. EDGARDO RAMOS,

13 District Judge

14 APPEARANCES

15 GEOFFREY S. BERMAN

16 United States Attorney for the
Southern District of New York

17 BY: KIMBERLY J. RAVENER

Assistant United States Attorney

18 JAMES A. PASCARELLA

19 Attorney for Defendant

20 Attorney for Defendant

I91WespC

(Case called)

MS. RAVENER: Good morning, your Honor. Kimberly Ravener, for the government.

THE COURT: Good morning.

MR. PASCARELLA: Good morning, your Honor. For Mr. Espinel, James A. Pascarella.

THE COURT: Good morning to you both.

This matter is on for status conference.

Ms. Ravener, tell me where we are.

MS. RAVENER: Your Honor, the government has completed its discovery production. The parties have been in discussion about moving the case forward. I believe it's time for us to set a motion calendar for any possible defense motions in the case.

THE COURT: Mr. Pascarella.

MR. PASCARELLA: Your Honor, I would ask for approximately a month to either submit motions -- the government is going to be providing us with an agreement, which I'll have to go over with my client as well, so if we can have approximately a month to either do motions or consider that agreement.

THE COURT: Any objection?

MS. RAVENER: No, your Honor.

THE COURT: Ms. Rivera, give them a date a month out.

THE DEPUTY CLERK: October 22.

I91WespC

1 THE COURT: OK.

2 MR. PASCARELLA: Judge, can we pick a different day?
3 Can we go early November? I'm sorry. A little longer than a
4 month -- just with my schedule, my trial schedule at the end of
5 October and my client's schedule --

6 THE DEPUTY CLERK: November 5.

7 MR. PASCARELLA: 8th? Is the 8th available?

8 THE DEPUTY CLERK: Sure.

9 MR. PASCARELLA: That would be great, if that's OK.

10 THE COURT: Ms. Ravener.

11 MS. RAVENER: That's fine for the government, and we
12 would just ask for approximately two weeks to respond, your
13 Honor.

14 THE COURT: Very well.

15 If you're not going to make motions, Mr. Pascarella,
16 do let us know on or before November 8 so that we can schedule
17 an allocution hearing.

18 Is Mr. Espinel the only defendant left?

19 MS. RAVENER: Yes, your Honor.

20 THE COURT: OK. Is there anything else that we need
21 to do today?

22 MS. RAVENER: Your Honor, the government would just
23 ask that time be excluded until at least November 8 in order to
24 allow the defense to prepare their motions, if any, and for the
25 parties to continue to discuss the potential for a pretrial

I91WespC

1 disposition.

2 THE COURT: Any objection, Mr. Pascarella?

3 MR. PASCARELLA: No objection, your Honor.

4 THE COURT: Very well. Then the time between now and
5 November 8 will be excluded under the Speedy Trial Act for the
6 reasons set forth on the record by Ms. Ravener.

7 There being nothing else, we're adjourned.

8 MR. PASCARELLA: Thank you, your Honor.

9 MS. RAVENER: Thank you, your Honor.

10 (Adjourned)